

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ALLSTATE INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
v.)	No. 06-0859-CV-W-DW
)	
DAVID JOHNSON and)	
LUCILLE JOHNSON,)	
)	
Defendants.)	

ORDER

Plaintiff has filed a Notice of Dismissal with Prejudice (Doc. 4). Defendants have not filed a response in the above-styled cause of action. Accordingly, in conformity with Rule 41 of the Federal Rules of Civil Procedure, Plaintiff's Complaint seeking declaratory judgment is DISMISSED *with prejudice*. The fees and costs associated with this action shall be borne by the parties individually.

Date: December 13, 2006

/s/ DEAN WHIPPLE
Dean Whipple
United States District Court